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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 JAMES R. KERNS,

11 Petitioner,

No. CIV S-05-0746 GEB KJM P

12 vs.

13 A.K. SKRIBNER, et al.,

14 Respondent.

ORDER

15 _____/
16 Petitioner has requested an extension of time to file objections to the January 26,
17 2009 Findings and Recommendations. He has shown good cause for the issuance of such an
18 order.

19 Petitioner has requested the appointment of counsel. There currently exists no
20 absolute right to appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d
21 453, 460 (9th Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of counsel at
22 any stage of the case “if the interests of justice so require.” See Rule 8(c), Fed. R. Governing
23 § 2254 Cases. In the present case, the court does not find that the interests of justice would be
24 served by the appointment of counsel at the present time.

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1 IT IS HEREBY ORDERED that:

2 1. Petitioner's February 11, 2009 request for an extension of time (Docket No.
3 36) is granted;

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5 2. Petitioner is granted thirty days from the date of this order in which to file
6 objections to the January 26, 2009 Findings and Recommendations; and

7 3. Petitioner's February 11, 2009 request for appointment of counsel (Docket No.
8 35) is denied.

9 DATED: February 23, 2009.

10 
11 U.S. MAGISTRATE JUDGE

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